

1861, in which Mr. Seward professes to speak the sentiments of the President, and I have no doubt he did, and I trust the President maintains them yet; and therefore they ought to be agreeable to the majority of the Convention, for their party have nominated him for re-election, and I hold that they are committed to sustain the President and the Secretary of State and the views they here entertain. Here is the remedy that was contemplated by the President in April 10, 1861:

"The so-called Confederate States, therefore, in the opinion of the President, are attempting what will prove a physical impossibility. Necessarily they build the structure of their new government upon the same principle by which they seek to destroy the Union, namely, the right of each individual member of the Confederacy to withdraw from it at pleasure and in peace. A government thus constituted, could neither attain the consolidation necessary for stability, nor guaranty any engagements it might make with creditors or other nations. The movement, therefore, in the opinion of the President, tends directly to anarchy in the seceded States, as similar movements in similar circumstances have already resulted in Spanish America, and especially in Mexico. He believes, nevertheless, that the citizens of those States as well as the citizens of the other States, are too intelligent, considerate and wise to follow the leaders to that disastrous end. For these reasons he would not be disposed to reject a cardinal dogma of theirs, namely, *that the Federal Government could not reduce the seceding States to obedience by conquest, even although he were disposed to question that proposition. But, in fact, the President willingly accepts it as true. Only an imperial or despotic government could subjugate thoroughly disaffected and insurrectionary members of the State. This federal republican system of ours is of all forms of government the very one which is most unfitted for such a labor.* Happily, however, this is only an imaginary defect. The system has within itself adequate, peaceful, conservative and recuperative forces. Firmness on the part of the government in maintaining and preserving the public institutions and property, and in executing the laws where authority can be exercised without waging war, combined with such measures of justice, moderation and forbearance as will disarm reasoning opposition, will be sufficient to secure the public safety until returning reflection, concurring with the fearful experience of social evils, the inevitable fruits of faction, shall bring the recalcitrant members cheerfully back into the family, which, after all, must prove their best and happiest, as it undeniably is their most natural home. The Constitution of the United States provides for that return by authorizing Congress on application to be made by a certain majority of the States, to assemble a National Convention, in

which the organic law can, if it be needful, be revised, so as to remove all real obstacles to a reunion so suitable to the habits of the people and so eminently conducive to the common safety and welfare."

That was the position taken by the Administration, April 10, 1861. I believe there has been no additional power conferred upon the Federal Government since that time, either by a convention of the States, or by amendments submitted to the States or ratified by three-fourths of them through their State Legislatures. I might quote the authority of the same despatch, as the gentleman from Anne Arundle (Mr. Miller) did yesterday, to show that Mr. Seward spoke of allegiance due to the State and Federal Government, but claimed no *paramount* allegiance to the Federal Government.

If any gentleman desires to see the distinct and separate character of the colonies distinctly set forth, I will refer him to Rawle on the Constitution, page 18, and to Story on the Constitution, page 163.

"Though the colonies had a common origin and owed a common allegiance, and the inhabitants of each were British subjects, they had no direct political connexion with each other. Each was independent of all the others; each, in a limited sense, was sovereign within its own territory. There was neither alliance nor confederacy between them. The assembly of one province could not make laws for another; nor confer privileges which were to be enjoyed or exercised in another, further than they could be in any independent foreign State."

I will not delay the Convention by any further remarks upon the separate character of the colonies. But I will state the fact that the history of these colonies will show that like their forefathers, they had a tenacity for their local customs and habits, and privileges and rights. This marked the very first contest in Maryland in which they were engaged after they settled in this country, when there were but a handful of them, and each man represented himself in the first General Assembly held at St. Mary's. The colonists at St. Mary's passed laws which the lord proprietary refused to sanction, claiming that they ought to have originated with him, and the colonists rejected the laws sent over to them, maintaining that they had the right of originating them; and it was a year or two before that matter was settled finally; and finally the lord proprietary had to yield precisely as George III subsequently had to yield upon a similar point. They insisted upon the right to self-government. And from that time, 1632, down to the present time, there has been nothing to strip the colonists of the right that they then asserted. It was not attempted after that controversy with Lord Baltimore. He conceded to them the power of making their own laws, and they were not interfered